

Protection of Life and Property in certain Parts
of Ireland Bill. [H.L.]

ARRANGEMENT OF CLAUSES.

Clause:

1. Short title.
2. Application of Act.
3. Interpretation.
4. Provisions of this part of this Act to apply when order issued by Lord Lieutenant.
5. Production of Dublin Gazette containing publication of any order to be conclusive evidence of making and issuing same.
6. Copies of orders to be laid before Parliament.
7. Power to Lord Lieutenant by warrant to commit without trial certain persons.
8. Persons to whom warrants of commitment are directed shall detain the persons so committed in safe custody. Persons charged with custody, as also place of detention, may be changed by warrant as herein mentioned.
9. All persons in custody under this part of this Act to be treated as untried prisoners.
10. Duration of Part I. of Act.
11. Continuance of Peace Preservation (Ireland) Act, 1870.

SCHEDULES.

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B I L L

ENTITLED

An Act to empower the Lord Lieutenant or other Chief A.D. 1871.
Governor or Governors of Ireland to apprehend and detain
for a limited time persons suspected of being members
of the Ribbon Society, or of being concerned in the com-
mission of any crime or outrage under the direction or
influence of the said Ribbon Society in the county of West-
meath, or in certain adjoining portions of the county of
Meath and the King's County; and to continue "The Peace
Preservation (Ireland) Act, 1870."

WHEREAS an unlawful society, combination, and confederacy
of a secret nature, generally known by the name of the
Ribbon Society, at present exists within the county of Westmeath,
and certain adjoining portions of the county of Meath and of the
King's County;

And whereas owing to the prevalence of the said society murder
and other crimes of the most serious nature have been perpetrated
within the districts above referred to, and by reason partly of
sympathy with the perpetrators of such crimes, and still more by
the terror created by the action of the said society, the existing
laws have been found to be insufficient for the due protection of
life and property in the districts aforesaid;

And whereas it is therefore expedient that further and other pro-
vision should be made for the protection of life and property within
the said districts:

And whereas the Peace Preservation (Ireland) Act, 1870, will
expire on the first day of August one thousand eight hundred and
seventy-one, and it is expedient to continue the same for a further
period:

Be it therefore enacted by the Queen's most Excellent Majesty,
by and with the advice and consent of the Lords Spiritual and Tem-
poral, and Commons, in this present Parliament assembled, and by
the authority of the same, as follows:

[Bill 129.]

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2 Protection of Life and Property in certain Parts [34 Vict.]
of Ireland.

A.D. 1871.

Short title.
1. This Act may be cited for all purposes as "The Protection
of Life and Property in certain parts of Ireland Act, 1871."

Application
of Act.
2. This Act shall apply to Ireland only.

PART I.

Interpreta-
tion.

3. In this part of this Act—

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The term "Lord Lieutenant" shall mean the Lord Lieutenant
of Ireland for the time being, and shall include the Lords
Justices or other chief governors or governor of Ireland for the
time being; and

The term "Chief Secretary" shall mean the Chief Secretary of 10
the Lord Lieutenant of Ireland.

Provisions of
this part of
this Act to
apply when
order issued
by Lord
Lieutenant.

4. It shall be lawful for the Lord Lieutenant, by and with the
advice of the Privy Council of Ireland, from time to time, to direct
and declare by order (which may be in the Form No. I in the
Schedule A. to this Act annexed or to the like effect), to be published 15
in the Dublin Gazette, that from and after a day to be named
therein the provisions of this part of this Act shall be in force
in relation to the county and baronies mentioned in the Schedule B.
to this Act annexed, or to such county or to any of such baronies,
or to any parts or part of such county, or of such baronies, or of any 20
of them respectively; and thereupon from and after the day named
in such order the provisions of this part of this Act shall be in
force and have effect in relation to the county, baronies, barony, or
parts or part of such county, or of such baronies, or of any of them
respectively specified in such order, and such county, baronies, 25
barony, parts or part are or is in this part of this Act referred to
as a "prescribed district." Provided always, that it shall be lawful
for the Lord Lieutenant, by a new order, to be made by and with
the advice of the Privy Council of Ireland, to be published in
the Dublin Gazette, to revoke any order issued under this part of 30
this Act, as to all or any part of a prescribed district named in
such new order; and thereupon such order shall, from and after a
day to be named in such new order, stand and be revoked, so far as
such new order shall purport to revoke the same.

Production
of Dublin
Gazette con-
taining pub-
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5. The production of a printed copy of the Dublin Gazette 35
purporting to be printed and published by the Queen's authority,
containing the publication of any order, under this part of this

A.D. 1871.

Act, shall for all purposes be conclusive evidence of such order, and of the due making and issuing of the same; and every such order shall be deemed and taken by all courts, judges, justices, and others, to all intents and purposes whatsoever, to have been made and issued in conformity with the provisions of this part of this Act, and by virtue of the jurisdiction thereby conferred.

Section of
any order to
be conclu-
sive evi-
dence
of making
and issuing
same.

6. A copy of every order issued under the authority of this part of this Act shall be laid before each House of Parliament within fourteen days of the date of the same, if Parliament be then assembled, and if not then within fourteen days of the next subsequent meeting of Parliament.

Copies of
orders to be
had before
Parliament.

7. Every person who is or shall be suspected of being a member of the said Ribbon Society, or of directly or indirectly maintaining correspondence or intercourse with, or of aiding, abetting, or supporting by contribution of money or otherwise, the said society, or any branch, lodge, or other select body, or any delegate or other officer or member thereof as such, or of being or having been either a principal in or an accessory before or after the fact to any felony, or a principal in any misdemeanour, committed or suspected to have been committed under the direction or influence of the said Ribbon Society, and who resides or sojourns or shall reside or sojourn in any place which shall be included in a prescribed district, or who, on the first day of January one thousand eight hundred and seventy-one, or on any subsequent day, resided or sojourned in any place which shall be included in a prescribed district, and every person who shall be suspected of being either a principal in or an accessory before or after the fact to any felony, or a principal in any misdemeanour, committed or suspected to have been committed after the passing of this Act under the direction or influence of the said Ribbon Society in any place which shall be included in a prescribed district, and who shall be suspected of having been in any place which shall be included in the said district at the time of the commission of such felony or misdemeanour, may be arrested, committed to prison, and detained in safe custody without bail or mainprise, during the continuance of this part of this Act, by warrant signed by the Lord Lieutenant or the Chief Secretary (which warrant may be in the Form No. II. in the Schedule A. to this Act annexed or to the like effect), and no judge or justice of the peace shall, during the continuance of this part of this Act, bail or try any such person or persons so committed without order from Her Majesty's Privy Council in Ireland or Lord Lieutenant, any law or statute to the contrary notwithstanding; and

Power to
Lord Lieu-
tenant by
warrant to
commit with-
out trial cer-
tain persons.

A.D. 1871.

every such warrant shall for the purpose of such arrest, commitment, and detention be and be deemed and taken by all courts, judges, justices, and others, and in every proceeding to be conclusive evidence of the matters therein stated, and of the jurisdiction to make, issue, and execute such warrant, and of the legality of such 5 arrest, commitment, and detention.

Persons to whom warrants of commitment are directed shall detain the persons so committed in safe custody.

8. Where any person or persons during the time this part of this Act shall continue in force shall be arrested, committed, or detained in custody by force of a warrant or warrants signed by the Lord Lieutenant or the Chief Secretary, and purporting to be under the 10 authority of this part of this Act, it shall and may be lawful for any person or persons to whom such warrant or warrants shall be directed to detain such person or persons so arrested or committed in his or their custody in any place whatever within Ireland, and that such person or persons to whom such warrant or warrants shall be 15 directed shall be deemed and taken to be to all intents and purposes lawfully authorised to detain in safe custody, and to be the lawful gaolers and keepers of such person or persons so arrested, committed, or detained, and that such place or places where such person or persons so arrested, committed, or detained are or shall be 20 detained in custody shall be deemed and taken to all intents and purposes to be lawful prisons and goals for the detention and safe custody of such person and persons respectively; and that it shall and may be lawful to and for the Lord Lieutenant, by warrant signed by the Chief Secretary from time to time as occasion shall be, to 25 direct and to change the person or persons by whom and the place in which such person or persons so arrested, committed, or detained shall be detained in safe custody.

Persons charged with custody, as also place of detention, may be changed by warrant as herein mentioned.

Provided always, that copies of such warrants respectively shall be subsequently transmitted to the Clerk of the Crown in and for 30 the county of the city of Dublin, and shall be filed by him in the public office of the pleas of the Crown in the city of Dublin.

All persons in custody under this part of this Act to be treated as untried prisoners.

9. All persons who shall be arrested and committed to prison under the warrant of the Lord Lieutenant under the authority of this part of this Act, shall, while in custody under such warrant be 35 treated as untried prisoners, and shall be subject to such orders and regulations for their treatment, management, and maintenance as the Lord Lieutenant shall from time to time make; provided nevertheless, that it shall be lawful for the Lord Lieutenant, if he think fit, to prohibit any prisoner committed under this Act from 40 holding any communication, either by word of mouth or writing,

with any other person not being in the service or employment A.D. 1871.
of Her Majesty, or duly authorised to hold such communication.

10. This part of this Act shall continue in operation until the Duration of
first day of June one thousand eight hundred and seventy-three. Part I. of
Act.

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PART II.

11. The Peace Preservation (Ireland) Act, 1870, shall continue Continuance
in operation until the first day of June one thousand eight hundred and
seventy-three, with the exception of such part or parts of the
said Act or of any Act or Acts incorporated with the said Act as
10 relates or relate to the presenting, levying, or raising of any moneys
off any county, barony, or district, or the application thereof, or
otherwise in relation thereto.

Peace Pres-
ervation
(Ireland)
Act, 1870,

SCHEDULES.

SCHEDULE A

Form No. 1.

By the Lord Lieutenant General and General Governor of Ireland
[or Lords Justices General and General Governors of Ireland, 5
as the case may be.]

Order:

WHEREAS by Part I. of "The Protection of Life and Property in certain Parts of Ireland Act, 1871," it was amongst other things enacted that it should be lawful for the Lord Lieutenant or other chief governor or governors of Ireland by and with the advice of the Privy Council of Ireland, to direct and declare by order to be published in the Dublin Gazette, that from and after the date named in such order Part I. of the said Act should be in force in relation to the county of Westmeath, and the baronies of Ballycowan, Coolestown, Garrycastle, Kilcoursey, Lower Philipstown, and Warrenstown in the King's County, and the baronies of Fore, Lower Kells, Upper Kells, Lune, Lower Moyfentraeth, Upper Moyfentraeth, Lower Navan, and Upper Navan, in the county of Meath, or in relation to the said county or any of the said baronies, or any parts or part of the said county, or of the said baronies, or of any of them respectively.

Now We, the Lord Lieutenant General and General Governor of Ireland [or Lord Justices General and General Governors of Ireland, as the case may be], by and with the advice of the Privy Council of Ireland, do direct and declare by this our order that the said Part I. of the said Act shall be in force, and have effect in relation to the [here state the prescribed district].

Given at Dublin Castle this day
of 187

A.D. 1871.

FORM No. II.

Warrant to Arrest.

WHEREAS Part I. of the Protection of Life and Property in certain Parts of Ireland Act, 1871, is now in force in relation to the [here state the prescribed district]:

And whereas A.B. [here insert name or other description of the person to be arrested] who resides or sojourns at [state place of residence or sojourning where material] is suspected of &c. [state charge, following the words of the Act]:

- 10 This is under the authority of the said Part I. of the said Act to command that the said _____ be arrested and lodged in the [here state place of confinement], there to be detained until discharged by due course of law.

Given at Dublin Castle this _____ day

15 of 1871.

To

[Here state sub-inspector or other officer to whom the warrant will be entrusted for execution, and the governor of the gaol or other place of confinement in which the prisoner is to be confined.]

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SCHEDULE B.

The county of Westmeath.

The baronies of Ballyoowan, Coolestown, Garvycastle, Kilcoursey, Lower Philipstown, and Warrenstown in the King's County.

25 The baronies of Fore, Lower Kells, Upper Kells, Lane, Lower Moyfearns, Upper Moyfearns, Lower Navan, and Upper Navan, in the county of Meath.

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Protection of Life and
Property in certain
Parts of Ireland. [H.L.]

B I L L

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INTITLED

An Act to empower the Lord Lieutenant or other Chief Governor or Governors of Ireland to apprehend and detain for a limited time persons suspected of being members of the Ribbon Society, or of being concerned in the commission of any crime or outrage under the direction or influence of the said Ribbon Society in the county of Westmeath, or in certain adjoining portions of the county of Meath and the King's County; and to continue "The Peace Preservation (Ireland) Act, 1870."

(Brought from the Lords 5 May 1871.)

O: duced, by The House of Commons, to S., Printed,
8 May 1871.

[Bill 129]

Under 2 oz.